

Notice of Allowability

Application No.

10/803,545

Examiner

William C. Choi

Applicant(s)

SCHRADER, MARTIN

Art Unit

2873

PM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 17 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 0604
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Georgia Epps
Georgia Epps
Supervisory Patent Examiner
Technology Center 2800
Notice of Allowability

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Allowed Claims: 1-17.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103.

Specifically, with respect to independent claim 1, none of the prior art alone or in combination disclose or teach of a method for changing a magnification factor of an imaging device comprising providing at least a first and second deformable lens spaced by a distance substantially equal to a sum of their focal lengths as claimed, specifically comprising providing an electric field of the first and second lenses so as to change their focal lengths by respective first and second amounts such that the sum of the amounts is substantially equal to zero.

Specifically, with respect to independent claim 8, none of the prior art alone or in combination disclose or teach of an optical system comprising first and second deformable lenses having respective first and second focal lengths disposed substantially on an optical axis as claimed, specifically wherein the lenses are spaced from each other by a distance substantially equal to a sum of their focal lengths.

Specifically, with respect to independent claim 12, none of the prior art alone or in combination disclose or teach of an imaging device for forming images at a plurality of magnification factors comprising an optical system

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comprising first and second deformable lenses spaced by a distance substantially equal to a sum of their focal lengths as claimed, specifically further comprising a plurality of electrodes for providing an electric field to change the focal lengths of respective first and second lenses.

Specifically, with respect to independent claim 16, none of the prior art alone or in combination disclose or teach of a portable comprising an optical system comprising first and second deformable lenses spaced by a distance substantially equal to a sum of their focal lengths as claimed, specifically further comprising a plurality of electrodes for providing an electric field to change the focal lengths of said lenses by respective first and second amounts such that the sum of the amounts is substantially equal to zero.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kearns (U.S. 6,033,070) and Guy (U.S. 6,542,309 B2) are being cited herein to show optical systems comprising deformable lenses, but do not specifically disclose wherein said lenses are spaced apart by a sum of their respective focal lengths or wherein the sum of their respective focal length changes is substantially equal to zero.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Choi whose telephone number is (571) 272-2324. The examiner can normally be reached on Monday-Friday from about 9:00 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

W.C.
William Choi
Patent Examiner
Art Unit 2873
April 27, 2005

Georgia Y. Epps
Georgia Epps
Supervisory Patent Examiner
Technology Center 2800